

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

*In re AdaptHealth Corp. Securities Litigation*

Case No. 2:23-cv-04104-MRP

**PLAINTIFFS' NOTICE OF RECENT AUTHORITY**

Pursuant to Civil Local Rule 7-4, Lead Plaintiffs respectfully notify this Court of a recent decision by the United States Supreme Court in *NVIDIA Corp., et al v. E. Ohman J:Or Fonder AB, et al.*, No. 23-970, 604 U.S. \_\_ (2024), 2024 WL 5058572 (Dec. 11, 2024) [*NVIDIA*]. In their Reply Memorandum In Support of Defendants' Motion to Dismiss the Amended Consolidated Class Action Complaint, Defendants noted that "[t]he Supreme Court granted certiorari to address the role of circumstantial evidence in pleading scienter" in *E. Ohman J:Or Fonder AB v. NVIDIA Corp.*, 81 F.4th 918, 942 (9th Cir. 2023), *cert. granted sub nom. NVIDIA Corp. v. Ohman J*, 144 S. Ct. 2655 (2024). ECF 79 at 7 n.7. Defendants further noted that the Supreme Court's ruling in *NVIDIA* was "expected soon." *Id.*

On December 11, 2024, the Supreme Court dismissed defendants' petition in *NVIDIA* as improvidently granted. *NVIDIA*, 2024 WL 5058572, at \*1. The Ninth Circuit's decision sustaining plaintiffs' securities fraud class action complaint, which was under review at the time the parties briefed Defendants' motion to dismiss, therefore stands. Attached as Exhibit A is a copy of the December 11, 2024 Order by the United States Supreme Court. Attached as Exhibit B is a copy of the Ninth Circuit's August 23, 2023 decision.

DATED: December 18, 2024.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I, John Rizio-Hamilton, hereby certify that on December 18, 2024, a true and correct copy of the foregoing was served electronically via the Court's ECF system, where this document is available for downloading and viewing.

/s/ John Rizio-Hamilton  
John Rizio-Hamilton